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11 City of Sausalito

12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA

15 NORTHERN CALIFORNIA RIVER WATCH, a  
16 non-profit corporation,,  
17

18 Plaintiff,

19 vs.

20 CITY OF SAUSALITO, and DOES 1-10,  
21 Inclusive,  
22

23 Defendant.

Case No. CV 08 1966

24 STIPULATED REQUEST FOR ORDER  
25 CONTINUING INITIAL CASE  
26 MANAGEMENT CONFERENCE

27 Pursuant to Northern District of California Civil Local Rules 6-2 and 7-12, Defendant  
28 City of Sausalito ("City") requests that this Court continue the Initial Case Management Conference  
and related disclosure obligations under Federal Rules of Civil Procedure 26 and Local Rule 16 for a  
period of thirty (30) days, as indicated below. The City has only recently retained counsel in this  
matter and makes this request to permit the parties to explore the possibility of an expeditious  
resolution without the need for further litigation.

Plaintiff Northern California River Watch ("Plaintiff") filed its complaint in this action  
on April 15, 2008, asserting claims under the citizen provisions of the Clean Water Act, 33 U.S.C. §  
1251 *et seq.* and the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* The  
complaint's allegations relate to the City's role in the operation of a complex, multi-party wastewater  
collection and treatment system which, the complaint alleges, collects sewage from approximately

6,200 connections and serves 7,454 citizens in southern Marin County. The complaint further alleges that City's collection system is a source of increased wet weather flows into the Sausalito-Marín City Sanitary District due to alleged inflow and infiltration of stormwater and groundwater into the City's sewers through cracks, eroded sections and misaligned joints.

The parties have engaged in initial discussions regarding Plaintiff's claims and Plaintiff has provided to the City a proposed settlement of the present action. The City, its engineers, and its counsel have commenced evaluation of Plaintiff's claims and its settlement proposal; however, given the sheer number of issues raised in the complaint, additional investigation remains outstanding. Likewise, the City requires additional time to assess the elements of Plaintiff's settlement demand. To permit the City to meaningfully weigh Plaintiff's allegations, as well as to provide for the possibility of early settlement of this matter, Plaintiff has agreed, subject to this Court's approval, to: 1) permit the City an additional thirty (30) days to respond to the complaint, and 2) stipulate to the present motion seeking to continue all currently established pre-trial dates for a period of thirty (30) days, or the as soon thereafter as available with this Court. The parties believe that this brief extension will permit the parties to more effectively approach resolution of this matter and most efficiently utilize the Court's time and resources. There have been no prior extensions of time sought or granted in this matter, and the continuance would affect only those dates indicated below.

Accordingly, the parties respectfully request that the Court approve and establish the following new dates for the referenced pre-trial requirements:

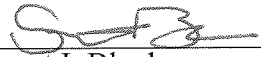
ACTION	OLD DATE	NEW DATE
City's Answer	June 24, 2008	July 24, 2008
Last day to meet and confer and file joint ADR Certification	July 7, 2008	August 6, 2008
Last day to file Rule 26(f) Report, complete initial disclosures	July 18, 2008	August 18, 2008
Initial Case Management Conference	July 25, 2008	August 25, 2008 *

\* Or as soon thereafter as the Court's schedule permits.

Respectfully submitted,

DATED: June <sup>17</sup>~~16~~ / \_\_, 2008

COX, CASTLE & NICHOLSON LLP

By:   
Stuart I. Block  
Attorney for Defendant City of Sausalito

Plaintiff hereby stipulates to the new dates set forth in the chart above and requests that the Court enter the Proposed Order submitted herewith.

DATED: July \_\_\_\_, 2008

LAW OFFICES OF JACK SILVER

By: \_\_\_\_\_  
Jerry Bernhaut  
Attorneys for Plaintiff Northern California River  
Watch

Respectfully submitted,

DATED: June \_\_\_\_\_, 2008


COX, CASTLE & NICHOLSON LLP

By: \_\_\_\_\_  
Stuart I. Block  
Attorney for Defendant City of Sausalito

Plaintiff hereby stipulates to the new dates set forth in the chart above and requests that the Court enter the Proposed Order submitted herewith.

DATED: July 1, 2008

LAW OFFICES OF JACK SILVER

By:   
Jerry Bernhaut  
Attorneys for Plaintiff Northern California River  
Watch